

REMARKS

Claims 60-77 are pending in this application. By this Supplemental Amendment, claims 70-73 are amended and claims 78-340 are added. Support for the newly added claims are found throughout the Specification and no new matter is added.

Specifically, use of polynucleotides representing HCV cDNA sequences for the detection of HCV is described in section II.J of the Specification (72:29-34). Polynucleotides comprising RNA and labeled RNA is disclosed on pages 28:19 – 29:16 the Specification. Oligonucleotides and kits are disclosed in sections II.H (pp. 61-64) and IV.C.3 (pp. 172-177) of the Specification. Use of HCV cDNA from a 353 nucleotide long clone 81 (*see Figure 4 for sequence*) for identifying RNA from liver by Northern hybridization is disclosed in section IV.C.1 of the Specification (170:28 – 171:19). 108 nucleotide HCV cDNA polynucleotide probe related to clone 81 is disclosed on page 176:12-16. Detection of HCV polynucleotide sequences 161 and 586 nucleotides in length is disclosed in section IV.C.3 and page 176:34-35 of the Specification. Oligonucleotide probes of "8 nucleotides" or more of new claims 340 are disclosed in Section II.H, on page 61 (*see also, Figures 1, 3, 4, 14, 26, 57, 59, 62, 72 and 89*). Polynucleotides having 10 contiguous nucleotides (claim 340) corresponding to a HCV genome are disclosed on pages 26:17 – 27:15 and also on page 61: 15-18.

No new matter is added. Entry of amendments to claims 70-73 and new claims 78-340 is respectfully requested.

CONCLUSION

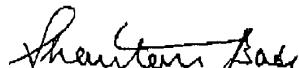
Applicants earnestly believe that they are entitled to a letters patent, and respectfully solicit the Examiner to expedite prosecution of this patent application to issuance. Should the Examiner have any questions, the Examiner is encouraged to telephone the undersigned. If the Examiner determines that the claims are not allowable, Applicants request an opportunity to interview the Examiner.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made".

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 223002006316. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

70. (Amended) A polynucleotide comprising a contiguous sequence that is identical to a sequence of at least 8 contiguous nucleotides shown in either strand of the nucleotide sequence in [any of Figures]Figure 59 or the nucleotide sequence in Figure 62 or the complement thereof, wherein said polynucleotide has a maximum length of 353 nucleotides.

71. (Amended) A polynucleotide comprising a contiguous sequence that is identical to a sequence of at least 8 contiguous nucleotides shown in either strand of the nucleotide sequence in [any of Figures]Figure 59 or the nucleotide sequence in Figure 62 or the complement thereof, wherein said polynucleotide has a maximum length of 586 nucleotides.

72. (Amended) A polynucleotide comprising a contiguous sequence that is identical to a sequence of at least 8 contiguous nucleotides shown in either strand of the nucleotide sequence in [any of Figures]Figure 72 or the nucleotide sequence in Figure 89 or the complement thereof, wherein said polynucleotide has a maximum length of 353 nucleotides.

73. (Amended) A polynucleotide comprising a contiguous sequence that is identical to a sequence of at least 8 contiguous nucleotides shown in either strand of the nucleotide sequence in [any of Figures]Figure 72 or the nucleotide sequence in Figure 89 or the complement thereof, wherein said polynucleotide has a maximum length of 586 nucleotides.